

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VLSI TECHNOLOGY LLC,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Case No. 6:21-cv-00057-ADA

**PLAINTIFF VLSI TECHNOLOGY LLC'S NOTICE OF SUBSEQUENT
DEVELOPMENTS IN CONNECTION WITH DEFENDANT INTEL
CORPORATION'S MOTION FOR LEAVE TO FILE AMENDED ANSWER,
DEFENSES, AND COUNTERCLAIMS AND TO SEVER AND STAY DEFENSE
OF LICENSE**

VLSI respectfully submits this notice of subsequent developments regarding Intel's Motion for Leave to File Amended Answer, Defenses, and Counterclaims to add the affirmative defense of license, and to Sever and Stay this defense ("Motion to Amend"), D.I. 349.

Intel's Motion to Amend asked this Court to allow Intel to add a license defense that would be "severed and stayed" pending resolution of its license arguments in Delaware Chancery Court. *See* D.I. 349 at 2-3. However, on September 30, 2021, Vice Chancellor Zurn issued a ruling granting in material part Defendants' motions to dismiss Intel's Chancery complaint. *See* Memorandum Opinion, attached hereto as Exhibit "A." In summary, the Chancery Court dismissed Intel's claims for declaratory relief and specific performance for lack of jurisdiction, dismissed Intel's tortious interference claim on the merits, and stayed Intel's breach of contract claims until the license issue is adjudicated in other pending cases between VLSI and Intel where Intel has already asserted the license defense. *Id.*

This ruling further underscores that Intel's Motion to Amend should be denied because, among other things, the relief requested by Intel (*i.e.*, to delay entry of judgment in this action until the Delaware Chancery Court ruled on Intel's claims) is now moot.

Dated: September 30, 2021

Respectfully submitted,

By: /s/ Andy Tindel

Morgan Chu (*pro hac vice*)
Benjamin W. Hattenbach (*pro hac vice*)
Iian D. Jablon (*pro hac vice*)
Alan J. Heinrich (*pro hac vice*)
Christopher T. Abernethy (*pro hac vice*)
Ian Robert Washburn (*pro hac vice*)
Amy E. Proctor (*pro hac vice*)
Elizabeth C. Tuan (*pro hac vice*)
Dominik Slusarczyk (*pro hac vice*)
Charlotte J. Wen (*pro hac vice*)
Benjamin Monnin (*pro hac vice*)
Jordan Nafekh (*pro hac vice*)
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067
Telephone: (310) 277-1010
Facsimile: (310) 203-7199
mchu@irell.com
bhattenbach@irell.com
ijablon@irell.com
aheinrich@irell.com
cabernethy@irell.com
iwashburn@irell.com
aproctor@irell.com
etuan@irell.com
dslusarczyk@irell.com
cwen@irell.com
bmonnin@irell.com
jnafekh@irell.com

Babak Redjaian (*pro hac vice*)
IRELL & MANELLA LLP
840 Newport Center Drive, Suite 400
Newport Beach, California 92660
Telephone: (949) 760-0991
Facsimile: (949) 760-5200
bredjaian@irell.com

J. Mark Mann (Texas Bar No. 12926150)
mark@themannfirm.com
G. Blake Thompson (Texas Bar No.
24042033)
blake@themannfirm.com
MANN | TINDEL | THOMPSON
300 W. Main Street
Henderson, TX 75652
Telephone: (903) 657-8540
Facsimile: (903) 657-6003

Andy Tindel (Texas Bar No. 20054500)
atindel@andytindel.com
MANN | TINDEL | THOMPSON
112 E. Line Street, Suite 304
Tyler, Texas 75702
Telephone: (903) 596-0900
Facsimile: (903) 596-0909

Craig D. Cherry (Texas Bar No. 24012419)
ccherry@swclaw.com
**STECKLER, WAYNE, COCHRAN,
CHERRY, PLLC**
100 N. Ritchie Road, Suite 200
Waco, Texas 76701
Telephone: (254) 776-3336
Facsimile: (254) 776-6823

Attorneys for VLSI Technology LLC

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have deemed to have consented to electronic service are being served with a true and correct copy of the foregoing document via the Court's ECF filing system on September 30, 2021.

/s/ Andy Tindel
Andy Tindel